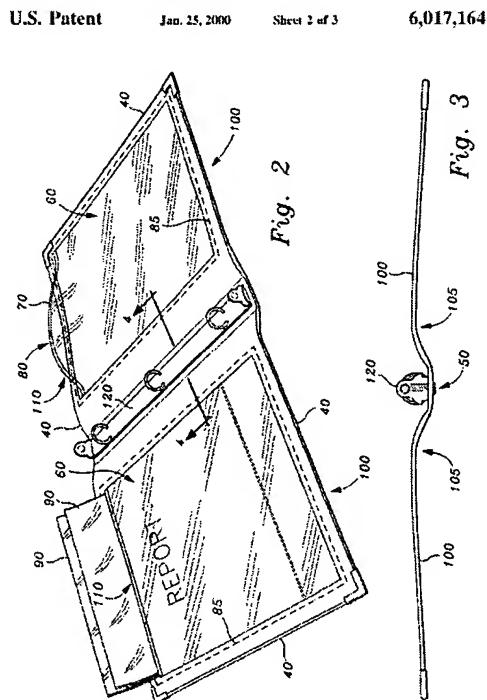


## REMARKS

The Office Action of September 29, 2006 rejects claims 1, 2, 4-6 on the grounds of nonstatutory obviousness-type double patenting with respect to US Patent No. 6,764,242. A terminal disclaimer with respect to the '242 patent will be filed when claims 1, 2 and/or 4-6 become otherwise allowable.

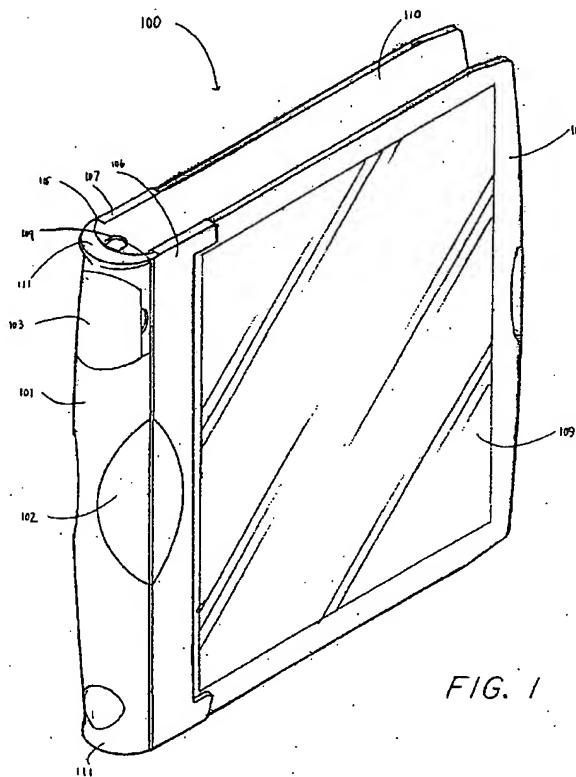
The Office Action also rejects claims 1, 3-11, 17, 18 and 22 under 35 U.S.C. 103(a) as obvious over Arakaki in view of Ong, U.S. Patent No. 6,854,915. Claims 1, 2, 9 and 12 are rejected under 35 U.S.C. 103(a) as obvious over Arakaki in view of Abbott. Claims 13-19 and 19-21 would be allowable if rewritten in independent form.

Arakaki (Fig. 2) illustrates an assembly with covers attached to a spine with hinges 68.



Arakaki lacks the flanges claimed in the independent claims of the present invention, as amended. One example of a flange as described in the specification of the present application, is member 106 in Fig. 1.

Patent Application Publication Mar. 10, 2005 Sheet 1 of 5 US 2005/0053417 A1



In the present claim set, as amended, a hinge connects the flange 106 with the spine body 101. Arakaki does not disclose a hinge connecting a flange to a spine body, as claimed here.

New independent claims 24 and 25 add that the hinges are integral to the spine, as Fig. 1 of the present application illustrates. These hinges are not, like the hinges of Arakaki, separate standard screw-on type hinges. But they are an integral part of the plastic structure - unitary with the spine body and the flange - as illustrated in the figures.

A sample Avery Silhouette binder sold by the assignee of the present application and corresponding generally to Fig. 1 of the present application, is submitted herewith for the examiner's review. The enclosed binder is for illustrative purposes only, and the claims are not limited to this exemplary embodiment. Please note that on the enclosed binder, the spine and associated flange are molded with blue plastic, and that the comparatively clear front and back covers are attached to respective blue plastic flanges. None of the cited references have this advantageous construction.

In view of these comments, the associated amendments and the new claims, the undersigned respectfully requests that the rejections be withdrawn and all claims allowed.

//

//

//

REQUEST FOR EXTENSION OF TIME (PRESENT & FUTURE PAPERS)

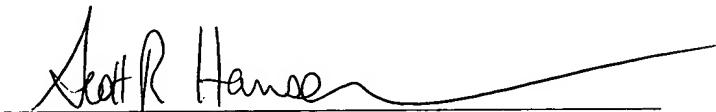
Any extensions of time that may be necessary are hereby requested, both for this paper and for all future papers in this case.

DEPOSIT ACCOUNT AUTHORIZATION

Any fees that may be due may be withdrawn from, or any overpayment may be credited to, Deposit Account No. 06-2425. Thank you.

Respectfully submitted,

FULWIDER PATTON LLP

By:   
Scott R. Hansen  
Reg. No. 38,486

Howard Hughes Center  
6060 Center Drive, Tenth Floor  
Los Angeles, CA 90045  
Telephone: (310) 824-5555  
Facsimile: (310) 824-9696  
Customer No. 24201